

BAKER & HOSTETLER LLP

45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201

Hearing Date: November 15, 2023

Objections Date: October 27, 2023

Reply Date: November 10, 2023

*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities
LLC and the Chapter 7 Estate of Bernard L.
Madoff,

Plaintiff,

v.

ABN AMRO BANK N.V. (presently known
as NATWEST MARKETS N.V.),

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

Lead Adv. Pro. No. 10-05354 (CGM)

**NOTICE OF MOTION TO DISMISS DEFENDANT'S AMENDED COUNTERCLAIMS
PURSUANT TO FED. R. CIV. P. 12(B)(6) AND FED. R. BANK. P. 7012(B)**

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 12(b)(6), made applicable to this proceeding pursuant to Federal Rule of Bankruptcy Procedure 7012(b), and upon the accompanying Memorandum of Law (the “Motion”), Plaintiff, Irving H. Picard, Trustee, through his undersigned counsel, will move this Court on November 15, 2023 at 10:00 a.m., before the Honorable Cecelia G. Morris, for an Order pursuant to Federal Rule of Civil Procedure 12(b)(6) dismissing the Amended Counterclaims of defendant ABN AMRO Bank N.V. (presently known as NatWest Markets N.V.).

PLEASE TAKE FURTHER NOTICE that, pursuant to the Stipulation and Order entered on September 6, 2023 (ECF No. 281), written opposition to the Motion must be served and filed no later than October 27, 2023, and any reply in further support of the Trustee’s Motion must be served and filed no later than November 10, 2023.

Dated: September 27, 2023
New York, New York

/s/ Patrick T. Campbell

Baker & Hostetler LLP

45 Rockefeller Plaza

New York, New York 10111

Telephone: (212) 589-4200

Facsimile: (212) 589-4201

David J. Sheehan

Email: dsheehan@bakerlaw.com

Patrick T. Campbell

Email: pcampbell@bakerlaw.com

Camille C. Bent

Email: cbent@bakerlaw.com

Elizabeth G. McCurrach

Email: emccurach@bakerlaw.com

J’Naia L. Boyd

Email: jlboyd@bakerlaw.com

*Attorneys for Irving H. Picard, as
Trustee for the Substantively Consolidated
SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and the Chapter 7
Estate of Bernard L. Madoff*